**South Carolina General Assembly**

123rd Session, 2019-2020

**A49, R69, S408**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Reese, Turner and Campbell

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Introduced in the Senate on January 22, 2019

Introduced in the House on February 28, 2019

Last Amended on February 26, 2019

Passed by the General Assembly on May 9, 2019

Governor's Action: May 16, 2019, Signed

Summary: Sales and Gross receipts

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 1/22/2019 Senate Introduced and read first time ([Senate Journal‑page 11](file:///h%3A%5Csj%5C20190122.docx))

 1/22/2019 Senate Referred to Committee on **Finance** ([Senate Journal‑page 11](file:///h%3A%5Csj%5C20190122.docx))

 2/20/2019 Senate Committee report: Favorable with amendment **Finance** ([Senate Journal‑page 12](file:///h%3A%5Csj%5C20190220.docx))

 2/26/2019 Senate Committee Amendment Adopted ([Senate Journal‑page 33](file:///h%3A%5Csj%5C20190226.docx))

 2/26/2019 Senate Read second time ([Senate Journal‑page 33](file:///h%3A%5Csj%5C20190226.docx))

 2/26/2019 Senate Roll call Ayes‑43 Nays‑0 ([Senate Journal‑page 33](file:///h%3A%5Csj%5C20190226.docx))

 2/27/2019 Senate Read third time and sent to House ([Senate Journal‑page 23](file:///h%3A%5Csj%5C20190227.docx))

 2/28/2019 House Introduced and read first time ([House Journal‑page 68](file:///h%3A%5Chj%5C20190228.docx))

 2/28/2019 House Referred to Committee on **Ways and Means** ([House Journal‑page 68](file:///h%3A%5Chj%5C20190228.docx))

 5/2/2019 House Committee report: Favorable **Ways and Means** ([House Journal‑page 12](file:///h%3A%5Chj%5C20190502.docx))

 5/8/2019 House Read second time ([House Journal‑page 117](file:///h%3A%5Chj%5C20190508.docx))

 5/8/2019 House Roll call Yeas‑105 Nays‑0 ([House Journal‑page 117](file:///h%3A%5Chj%5C20190508.docx))

 5/9/2019 House Read third time and enrolled ([House Journal‑page 132](file:///h%3A%5Chj%5C20190509.docx))

 5/13/2019 Ratified R 69

 5/16/2019 Signed By Governor

 5/31/2019 Effective date 05/16/19

 6/5/2019 Act No.  49

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=408&session=123&summary=B) at the website

**VERSIONS OF THIS BILL**

[1/22/2019](file:///p%3A%5Cpprever%5C2019-20%5C408_20190122.docx)

[2/20/2019](file:///p%3A%5Cpprever%5C2019-20%5C408_20190220.docx)

[2/26/2019](file:///p%3A%5Cpprever%5C2019-20%5C408_20190226.docx)

[5/2/2019](file:///p%3A%5Cpprever%5C2019-20%5C408_20190502.docx)

(A49, R69, S408)

**AN ACT TO AMEND SECTION 12‑6‑2295, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ITEMS INCLUDED AND EXCLUDED FROM THE TERMS “SALES” AND “GROSS RECEIPTS”, SO AS TO PROVIDE THAT RECEIPTS FROM THE OPERATION OF A CABLE SYSTEM AND A VIDEO SERVICE ARE ATTRIBUTABLE TO THIS STATE IN PRO RATA PROPORTION OF THE COSTS OF PERFORMING THE SERVICE.**

Be it enacted by the General Assembly of the State of South Carolina:

**Taxation from sales of a cable system and a video service**

SECTION 1. Section 12‑6‑2295(A)(7) of the 1976 Code, as added by Act 265 of 2018, is amended to read:

 “(7) receipts from the operation of a cable system, as defined in Section 58‑12‑300, including receipts from cable service and including receipts from services provided over the network that are associated with or classified as noncable or nonvideo services under federal law, receipts from video service as defined in Section 58‑12‑300, or receipts from the provision of direct broadcast satellite service that are attributable to this State in pro rata proportion of the costs of performing the service, including the costs of acquiring programming distribution rights and constructing and maintaining distribution infrastructure, that the service provider incurs within this State. For purposes of this subsection, if a pass‑through business operates a cable system or a direct broadcast satellite service, or if it has receipts from video service, then a corporation that owns an interest in that pass‑through business, either directly or indirectly, must be treated as operating a cable system or a direct broadcast satellite service, or as having receipts from video service. As used in this subsection, the term ‘direct broadcast satellite service’ means the distribution or broadcasting of programming or services by satellite directly to the subscriber’s premises without the use of ground receiving or distribution equipment, except at the subscriber’s premises or in the uplink process to the satellite.”

**Time effective**

SECTION 2. This act takes effect upon approval by the Governor and applies to all open tax periods excluding assessments under judicial review as of the date of the Governor’s approval.

Ratified the 13th day of May, 2019.

Approved the 16th day of May, 2019.

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